

**CITY OF EYOTA
PLANNING COMMISSION MEETING MINUTES
MAY 16, 2018**

Present: Members: Lief Hughes, Janet Hughes, Frank Merchant and Casey Johnson
Council Rep Ray Schuchard Secretary: Marlis Knowlton

Absent: Member John Chesney and Council Rep Bryan Cornell

Guest: Jacob Robinson, property owner and Chad Schuman, Olmsted County

Call to Order: Chair Lief Hughes called the meeting to order at 7:00 p.m.

Approve Agenda: Knowlton requested a fence application discussion be added to the agenda. Motion was made by Merchant and seconded by Johnson to approve the agenda with the addition. Ayes 4, Nays 0. Motion carried.

Minutes: Motion was made by Lief Hughes and seconded by Merchant to approve the April 18, 2018 regular meeting minutes as presented. Ayes 4, Nays 0. Motion carried.

PUBLIC HEARING – Jacob Robinson, 742 Madison Avenue SW Variance: Request a variance of one and one half feet (1.5') to a principal building side yard setback. Tax parcel 62.14.32.028507, Schumann's 3rd Replat, Lot 2, Block 2. See "Exhibit A"

Robinson explained his intent is to add a third stall to the garage. The current garage is a very small two car garage, so short that two mini vans do not fit. Adding on the outside of the garage only makes it a 2 ½ car, but if they remove the wall and add on, it will be a true three car garage. That requires a variance; the lot is pie shaped, so the encroachment is only at the very front and reduces the farther back the garage goes. Robinson talked to the affective neighbor and they did not have any concerns.

Motion was made by Lief Hughes and seconded by Merchant to close the regular meeting and open the public hearing. Ayes 4, Nays 0. Motion carried.

There was no one present, no comments and no written comments received.

Motion was made by Merchant and seconded by Janet Hughes to close the public hearing and open the regular meeting. Ayes 4, Nays 0. Motion carried.

Motion was made by Leif Hughes and seconded by Johnson to approve the variance as requested. Ayes 4, Nays 0. Motion carried.

Finding of Facts:

- The request is in compliance with the Comprehensive Plan
- The variance does not encroach on the neighbor
- The variance will allow for the garage expansion which betters the property

PUBLIC HEARING – Olmsted County, Variance: Olmsted County has two parcels located south of 11 North Front Street NE, public works building. 05930-City Lands 106-12-14, 62.14.12.028652 and 62.14.12.028656. The request is for two buildings, both front yard setbacks, both ten feet (10') variance. See "Exhibit B"

Chad Schuman, engineer with the County, explained the current facilities are due for upgrading in size, to improve efficiency and safety. The County prefers to stay in Eyota versus finding an entirely new location elsewhere. One project will be to add on to the existing building. The County has also purchased land from the elevator to improve the cold storage and the sand/salt holding facility. The parcel is long and narrow which creates some challenges. They plan to tear down the existing blue cold storage shed, built in the 1970's, and replace it with a new sand/salt storage building. In order to have room for safe traffic flows, it would be better to place the building farther north than the current setback regulations allow. The existing sand/salt shed will stay but will be used for things like gravel, safer for the environment that close to the creek. Maybe within one to five years they will build a new cold storage building.

The plan is to make improvements in phases: tear down the existing storage building, build a new sand/salt shed, add on to the main public works building and then build a new cold storage building. They are requesting a variance for both buildings now, even though they may not build the cold storage this year. Construction will include final plans and details for the elevation of the building in relation to North Front Street NE. The County will work with the City in the planning stage to determine the best option; for instance a curb versus landscaping retaining wall, etc.

Motion was made by Lief Hughes and seconded by Janet Hughes to close the regular meeting and open the public hearing. Ayes 4, Nays 0. Motion carried.

There was no one present, no comments and no written comments received.

Motion was made by Merchant and seconded by Janet Hughes to close the public hearing and open the regular meeting. Ayes 4, Nays 0. Motion carried.

Motion was made by Leif Hughes and seconded by Merchant to approve the variance as requested. Ayes 4, Nays 0. Motion carried.

Finding of Facts:

- It will be a betterment to the facility
- It will be a long term improvement for the property, County and City
- It will not be inconsistent with other area properties
- It does not violate the Code of Ordinances
- Comprehensive Plan encourages the betterment of the downtown area

Legal Egress Window Wells: A homeowner asked, as a general question, what needs to be done if they decide to install a legal egress window and window well. It would be on the side of the house which is probably within the minimum side setbacks. The Commission discussed different scenarios: is the window well attached to the principal building, does it impede passage from the front to the back, is it a safety concern for the neighbor, etc.

In this specific case they said it would be allowed without a variance if it is not attached to the principal building, obviously follows all building codes and does not hamper passage. The Commission also requested window wells are placed on the next agenda for additional discussion and Code considerations.

Other Business:

Fence: Knowlton requested the Commission to review a fence permit application, specifically the materials to be used. The Commission agreed the application will be denied because the materials suggested are considered agricultural and/or farm.

Adjourn: Motion was made by Lief Hughes and seconded by Merchant to adjourn the meeting. Ayes 4, Nays 0. Motion carried. Meeting was declared adjourned at 7:50 p.m.


Marlis Knowlton, Clerk/Treasurer

VARIANCE APPLICATION - City of Eyota

Location of Project/Property: _____ 742 Madison Ave. SW _____

Legal Description: Sect-14 TWP-106 Range-012 Schumann's 3rd Replat Lot -002 Block -002 Lot 2 Block
Applicant Name: _____ Jacob Robinson _____ 62.14.32.028507

Address (physical/mailling): _____ 742 Madison Ave. SW, Eyota, MN 55934 _____

Phone: 612-756-3021 ___ Alternate Phone: _____ Email: _____ robi0420@umn.edu _____

Property Owner Name: (if different from above)

Address (physical/mailling): _____

Phone: _____ Alternate Phone: _____ Email: _____

Description of Proposed Project: _____ Adding on to my garage in the south direction. Currently the garage is a small two car garage, but it won't fit two of most vehicles as it is too short. It is essentially a one car garage. The project will expand the garage to be a three car garage. _____

Specify the section of the Code of Ordinance from which a variance is sought: Title 15 Land Usage, Chapter 153 Zoning, Section 153.056 Low Density Residential R-1, specifically 153.056.B.6.(a) Minimum Side of Yard of 7.5'.

Explain how you wish to vary from the applicable provisions of the Code:

(Describe in detail and state unusual conditions that cause hardship. Attach additional sheets if needed.)

___ The addition to the garage requires the south wall of the garage to be only 6 feet from the property line at the SW corner of the garage (rather than the required 7.5 feet for side property lines). At least this much space is required to expand the garage to the required size to make use of the space and not have a parking space in my garage that is too small for most vehicles.

Please attach a site plan or accurate survey as may be required by ordinance.

The Planning Commission must make an affirmative finding on all of the five criteria listed below in order to grant a variance. The applicant for a variance has the burden of proof to show that all of the criteria listed above have been satisfied.

Please answer the following questions as they relate to your specific variance request:

1. In your opinion, is the variance in harmony with the purposes and intent of the Code?
Yes (X) No () Why or why not?

___ There is still a significant amount of greenspace between my house and my neighbor's house. My neighbor's house is positioned closer to their own southern property line and further from mine.

"Exhibit A"

2. In your opinion, is the variance consistent with the Comprehensive Plan?

Yes (X) No () Why or why not?
The property is still residential.

3. In your opinion, does the proposal put property to use in a reasonable manner?

Yes (X) No () Why or why not?
My own property will be more usable for me and the variance should not cause harm to anyone else. I have check with my neighbors who would be most affected, they don't have objections to this.

4. In your opinion, are there circumstances unique to the property?

Yes (X) No () Why or why not?
The lack of room for two vehicles to be parked in my current garage is a unique situation. My house/garage is currently as close as it can be to the street.

5. In your opinion, will the variance maintain the essential character of the locality?

Yes (X) No () Why or why not?
The house and garage will still be similar in size to the others in the neighborhood. It will not be the biggest garage or house.

The undersigned certifies that they are familiar with the application fees and other associated costs, and also with the procedural requirements of Code of Ordinance §153.170-153.173 and other applicable ordinances.

Applicant's Signature: [Signature]
Date: 04-25-18

City Zoning Signature: _____
Date: _____

KEY DATES:
4-25-18 Application Submitted with Application Fee \$ 350⁰⁰ Rept # 6093

4-25-18 Submittal Date – 21 days (typical) prior to Planning Commission hearing

4-30-18 Neighborhood Notification – at least 10 days prior to the hearing
(mailed to surrounding properties within 350')

5-2-18 Publication Notice – to be published at least 10 days prior to the hearing

5-16-18 Public Hearing Date – hearing held by the Planning Commission

_____ Date Approved or Denied by the Planning Commission

Appeal Process if Requested _____ Date City Council Consideration Date

_____ Date approved or Denied by the City Council



Blue Box is addition to the garage. The garage addition extends 15 feet from the south wall of the existing garage, for the length of the garage. The SW corner of the garage will be 6 feet from the south property line.

VARIANCE APPLICATION - City of Eyota

Location of Project/Property: SE CORNER OF N FRONT STREET E & CENTER AVENUE N

Legal Description: 05930-CITY LANDS 106-12-14 EYOTA, MINNESOTA [PIN 62.14.12.028652]

Applicant Name: COUNTY OF OLMSTED (CONTACT : CHAD SCHUMAN)

Address (physical/mailling): 1188 50TH STREET SE, ROCHESTER, MN 55904

Phone: 507-328-7060 Alternate Phone: 507-993-9602 Email: SCHUMAN.CHAD@CO.OLMSTED.MN.US

Property Owner Name: (if different from above)

Address (physical/mailling): _____

Phone: _____ Alternate Phone: _____ Email: _____

Description of Proposed Project: DEMOLITION OF AN EXISTING COLD STORAGE BUILDING. CONSTRUCTION OF A NEW SALT STORAGE BUILDING / STRUCTURE IN PLACE OF THE EXISTING COLD STORAGE BUILDING. MINIMAL SITE GRADING. PLANNING FOR A FUTURE NEW COLD STORAGE BUILDING.

Specify the section of the Code of Ordinance from which a variance is sought: TITLE 15 LAND USAGE, CHAPTER 153 ZONING, SECTION 153.059 INDUSTRIAL M-1. 153.059.B.4.(a) MINIMUM FRONT YARD (15 FEET).

Explain how you wish to vary from the applicable provisions of the Code:

(Describe in detail and state unusual conditions that cause hardship. Attach additional sheets if needed.)

OLMSTED COUNTY WISHES TO CONSTRUCT A NEW SALT STORAGE BUILDING/STRUCTURE AND A FUTURE COLD STORAGE BUILDING WITH A FRONT YARD SETBACK OF 5.0' OFF OF THE FRONT STREET RIGHT-OF-WAY. THE EXISTING LOTS THAT MAKE UP THE PROJECT SITE ARE RECTANGULAR IN SHAPE AND CONSTRAINED BETWEEN FRONT STREET AND THE RAILROAD. GIVEN THE RELATIVELY SHORT DEPTH OF THE LOTS AND THE NATURE OF THE BUSINESS, THE REDUCTION IN THE FRONT YARD SETBACK IS NEEDED IN ORDER TO FIT THE REASONABLY SIZED STRUCTURES AND STILL MAINTAIN ADEQUATE CIRCULATION DRIVE WIDTHS FOR THE LARGE CONSTRUCTION EQUIPMENT AND TRUCKS THAT WILL BE USING THE SITE AND NOT ENCROACH ON TO THE RAILROAD RIGHT-OF-WAY.

Please attach a site plan or accurate survey as may be required by ordinance.

The Planning Commission must make an affirmative finding on all of the five criteria listed below in order to grant a variance. The applicant for a variance has the burden of proof to show that all of the criteria listed above have been satisfied.

Please answer the following questions as they relate to your specific variance request:

1. In your opinion, is the variance in harmony with the purposes and intent of the Code?
Yes () No () Why or why not?

THE PURPOSE AND INTENT OF A 15' FRONT YARD SETBACK IS TYPICALLY A PUBLIC POLICY TO ENSURE A UNIFORM APPEARANCE MOSTLY IN HOUSING SUBDIVISIONS BUT ALSO CAN BE FOR PLANNED OUT COMMERCIAL DEVELOPMENTS. SETBACKS CAN ALSO PROTECT STREET RIGHT-OF-WAYS FROM ENCROACHMENTS AND LINES-OF-SIGHT FOR TRAFFIC MOVEMENTS MAINLY NEAR INTERSECTIONS. THIS VARIANCE WILL STILL MAINTAIN SOME DISTANCE FOR SETBACK TO ALLOW PROTECTION TO THE FRONT STREET RIGHT-OF-WAY AND THE PROPOSED BUILDINGS / STRUCTURES ARE LOCATED SO THAT THEY WILL NOT AFFECT ANY TRAFFIC MOVEMENTS AND / OR PUBLIC INTERSECTIONS. THE EXISTING CONDITIONS OF THE AREA ALREADY DOES NOT HAVE A UNIFORM SETBACK APPEARANCE WITH THE EXISTING COLD STORAGE BUILDING LOCATED DIRECTLY ABUTTING THE FRONT STREET RIGHT-OF-WAY.

2. In your opinion, is the variance consistent with the Comprehensive Plan?

Yes (x) No () Why or why not?

DISCUSSIONS WITH CITY STAFF CONCLUDED THAT THIS PROJECT / VARIANCE IS CONSISTENT WITH THE COMPREHENSIVE PLAN.

THE LAND USE PLAN CALLS FOR THIS PROJECT SITE AND THE SURROUNDING AREA TO BE COMMERCIAL & INDUSTRIAL. THIS VARIANCE IS FOR TWO BUILDINGS /

STRUCTURES THAT ARE INTENDED TO ALWAYS BE FOR A COMMERCIAL / INDUSTRIAL TYPE USE (COUNTY HWY SHOP MAINTENANCE AND STORAGE).

3. In your opinion, does the proposal put property to use in a reasonable manner?

Yes (x) No () Why or why not?

THERE HAS BEEN MUCH THOUGHT, DISCUSSIONS, AND PLANNING PUT IN TO THE PROPOSED SITE LAYOUT AND BUILDING / STRUCTURE SIZES.

THE APPLICANT (OLMSTED COUNTY) IS ALSO THE USER OF THE PROPERTY. THEY HAVE OWNED AND OPERATED ON THE PROPERTY FOR QUITE SOME TIME AND

PLAN TO CONTINUE TO OPERATE ON THE PROPERTY FOR THE FORESEEABLE FUTURE. THEY FEEL THIS IS THE BEST LAYOUT FOR THEIR USE.

4. In your opinion, are there circumstances unique to the property?

Yes (x) No () Why or why not?

THE EXISTING LOTS THAT MAKE UP THE PROJECT SITE ARE RECTANGULAR IN SHAPE AND CONSTRAINED BETWEEN FRONT STREET AND THE RAILROAD RIGHT-OF-WAY

THE LOTS HAVE RELATIVELY A SHORT DEPTH. THIS COMBINATION MAKES FOR A UNIQUE COMMERCIAL PROPERTY AND LIMITS THE USE AND CIRCULATION OF THE

PROPERTY. PROVIDING SAFE CIRCULATION OF TANDEM TRUCKS AND HEAVY EQUIPMENT IS ESSENTIAL FOR SNOW AND ICE CONTROL. THE REDUCTION IN THE SIZE OF

THE STRUCTURE AND KEEPING IT CLOSE TO THE ROAD WILL PROVIDE MUCH NEEDED SIGHT DISTANCE AND ROOM TO CIRCULATE.

5. In your opinion, will the variance maintain the essential character of the locality?

Yes (x) No () Why or why not?

THE PROPOSED SITE LAYOUT STILL ALLOWS FOR SOME SETBACK DISTANCE AS OPPOSED TO THE EXISTING CONDITIONS WITH THE EXISTING BUILDING LOCATED

DIRECTLY ABUTTING THE FRONT STREET RIGHT-OF-WAY. THE SURROUNDING AREA CURRENTLY DOES NOT HAVE A UNIFORM APPEARANCE AS FAR AS SETBACK.

THEREFORE, THIS VARIANCE, IN OUR OPINION, WILL NOT AFFECT THE ESSENTIAL CHARACTER OF THE LOCALITY WHICH IS A COMMERCIAL / INDUSTRIAL USE.

The undersigned certifies that they are familiar with the application fees and other associated costs, and also with the procedural requirements of Code of Ordinance §153.170-153.173 and other applicable ordinances.

Applicant's Signature: _____

Date: 4-25-18

City Zoning Signature: _____

Date: _____

KEY DATES:

4-27-18 Application Submitted with Application Fee \$ 350

4-27-18 Submittal Date – 21 days (typical) prior to Planning Commission hearing

4-30-18 Neighborhood Notification – at least 10 days prior to the hearing
(mailed to surrounding properties within 350')

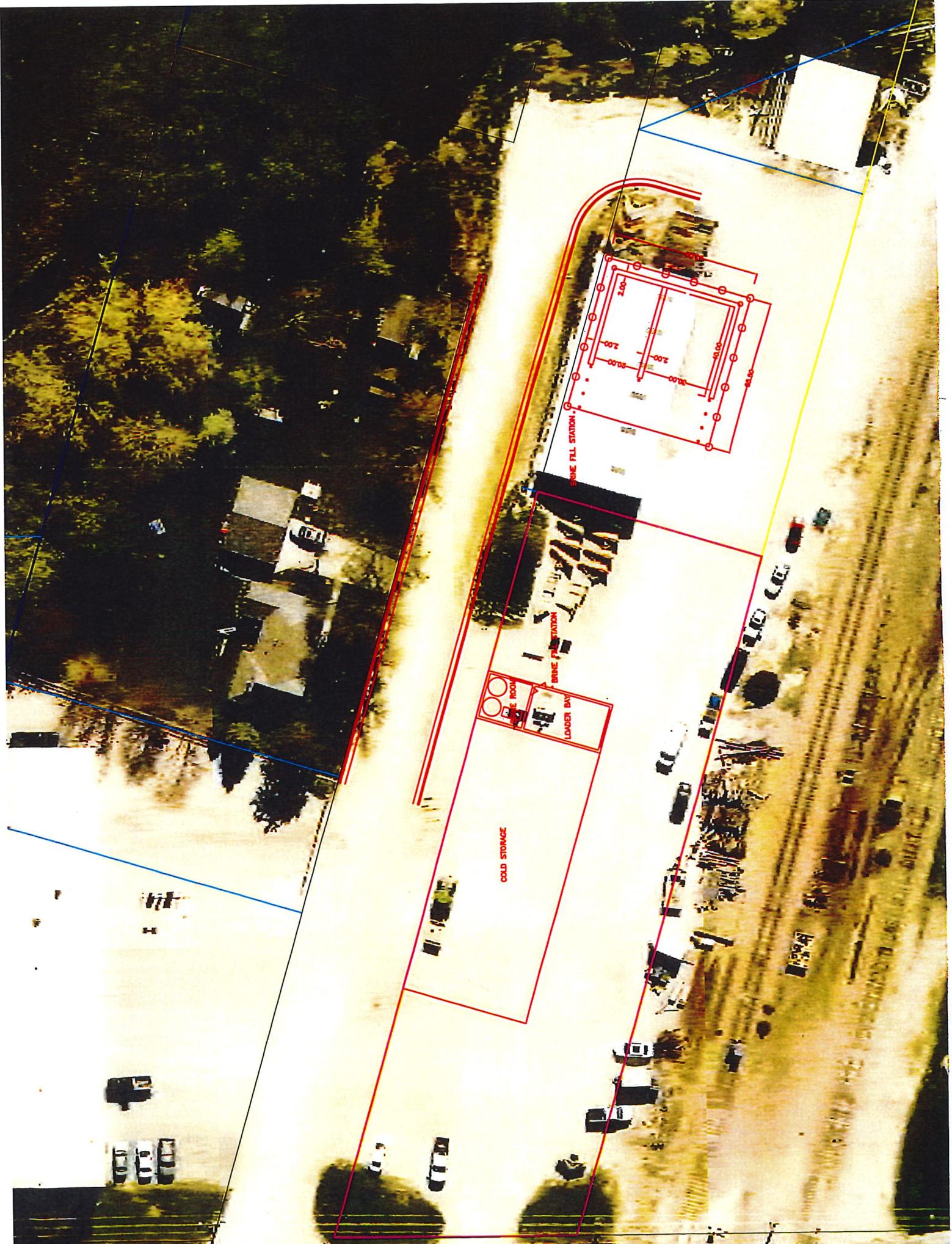
5-2-18 Publication Notice – to be published at least 10 days prior to the hearing

5-16-18 Public Hearing Date – hearing held by the Planning Commission

_____ Date Approved or Denied by the Planning Commission

Appeal Process if Requested _____ Date City Council Consideration Date

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COLD STORAGE

BRINE FILL STATION

BRINE PUMP STATION

LOADER BAY

OFFICE ROOM

